

EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

FILED  
In the office of the Secretary of State  
of the State of California

DEC 21 1998



BILL JONES, Secretary of State  
By *[Signature]*  
Deputy Secretary of State

EXECUTIVE ORDER W-186-98

**WHEREAS**, The phenomenal growth and use of wireless technology reflects the increasing reliance that millions of Californians and Americans place on the ability to communicate easily, affordably and in a mobile environment; and

**WHEREAS**, California is the nation's largest market for wireless service and is served by some of the most prestigious wireless companies in the industry, including, but by no means limited to, AT&T Wireless, AirTouch Communications, LA Cellular, Pacific Bell Mobile Services, GTE Wireless, Sprint PCS, and Cellular One; and

**WHEREAS**, Industry research estimates that a majority of all wireless customers purchase their phones for personal safety and security reasons, including the ability to access 911 in an emergency; and

**WHEREAS**, The explosion in the availability of wireless phones has benefited both individuals and the California economy, but also has had an unprecedented impact on those who receive emergency response services by dialing 911; and

**WHEREAS**, It is now estimated that more than 85,000 calls are made each day across the nation from wireless phones to Public Safety Answering Points (PSAPs), or 911 centers, with tens of thousands placed in California alone; and

**WHEREAS**, In July 1996, the Federal Communications Commission (FCC) issued Report & Order 94-102, and subsequently Memorandum Opinion and Order 97-402, encouraging wireless carriers to provide the public safety community with enhanced data (the 10-digit call back number and location information) to allow emergency response officials to more readily and effectively provide services to wireless callers in need of assistance; and

**WHEREAS**, The State of California has met the three conditions set forth by the FCC after which various provisions of Report & Order 94-102 become applicable: (1) the PSAP must request the services specified in paragraphs (d) and (e) of that Order; (2) the PSAP is capable of receiving and utilizing the data elements associated with the service; and (3) a mechanism for recovering the costs of the service is in place; and

**WHEREAS**, In July 1996, Governor Wilson established the Wireless 911 Task Force, joining together dedicated professionals from the public and private sectors who made recommendations to help ensure a viable public safety emergency response system for wireless telephone system users; and

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**WHEREAS**, The Wireless 911 Task Force concluded in its Report to Governor Wilson that "Today, the 911 system experiences significant delays in answering calls, jeopardizing lives, health, and property. Without intervention, these delays threaten to functionally collapse the system as new phone devices and greater use increases demand on an already overburdened system. Californians place a high priority on a responsive 911 system. Appropriate measures [are needed] to ensure a viable 911 system to maximize public safety"; and

**WHEREAS**, The Department of General Services and the California Highway Patrol, in partnership with the wireless industry, are currently conducting a trial of wireless Emergency 911 (E911) service in the Los Angeles area to prepare for statewide implementation of the FCC-mandated service; and

**WHEREAS**, The Department of General Services and the California Highway Patrol, in partnership with the private sector, should take steps to expeditiously provide this new, lifesaving technology to all wireless subscribers so as to ensure the benefits of a high quality, reliable and sophisticated E911 system.

**NOW, THEREFORE, I, PETE WILSON**, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

1. The Department of General Services and the California Highway Patrol shall implement FCC Report & Order 94-102 and Memorandum Opinion and Order 97-402 to the fullest extent authorized by law and as rapidly as technologically possible in order to provide all citizens in California with the highest quality wireless E911 service available.
2. The Department of General Services shall promote technological improvements in the E911 system to maintain the most efficient and cost effective public safety service available, and shall regularly report to the Governor and the Legislature changes to existing laws and regulations which may arbitrarily or inadvertently frustrate public safety or prevent continued technological improvement of the system.
3. The Department of General Services shall encourage and support all viable technological means of distributing wireless E911 calls among and between the California Highway Patrol and local public safety agencies.
4. The Department of General Services shall consult with representatives of the wireless communications industry and other stakeholders for the purpose of examining the issue of the industry's potential legal liability for providing emergency telephone coverage through wireless networks, and for the purpose of considering means of managing that liability.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 21st day of December 1998.

*Pete Wilson*

Governor of California

**ATTEST:**

*Bill Jones*

Secretary of State

